

ITEM NO. 2 ZFRT 34th Street Condominium Conversion No. CC2013-002 (PA2013-174)
3401 Balboa Boulevard CD 1

Jason Van Patten, Planning Technician, provided a brief project description stating that the project was a condominium conversion to convert an existing two-unit duplex into a condominium project. He stated that a parcel map was previously approved to create separate ownership units, but that the project had been finalized as a duplex. He further added that existing tenants had been notified of the application and that a special inspection was completed. He noted that one safety violation was identified regarding the windows and that the applicant was working to address the issue.

Applicant Bill Caskey, on behalf of the property owner, stated that he had reviewed the draft resolution and the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, Jim Mosher, spoke and had two comments. He stated that Section 2 of the draft resolution should specify that the project was exempt under the California Environmental Quality Act "Guidelines." He further asked for clarification regarding the Building Department conditions of approval.

Mr. Van Patten clarified stating that the Building Department conditions were intended to apply should the applicant alter or modify the property. He further indicated that the draft resolution would provide additional language specified by Mr. Mosher.

The Zoning Administrator closed the public hearing and took action approving Condominium Conversion No. CC2013-002.

Action: Approved

ITEM NO. 3 201 41st Street Condominium Conversion No. CC2013-003 (PA2013-173)
210 41st Street CD 1

Melinda Whelan, Assistant Planner, provided a brief project description stating that the request is for a condominium conversion for an existing duplex that was built in 2007 and a parcel map for condominiums was also approved in 2007 that is still active; however, the new duplex was finalized prior to recordation of the parcel map which still has not been recorded. Ms. Whelan further explained that the Building Division's conditions are very specific to this project as it was built in 2007 under a different Building Code; therefore, any construction occurring with the change of use to condominiums would trigger these new Building Code requirements, however, no construction is proposed.

Applicant Bill Caskey on behalf of Zotovich Development Co, LLC stated that he had reviewed the draft resolution and the required conditions.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment the public hearing was closed.

Action: Approved

Melinda Whelan, Assistant Planner, provided a brief project description stating that this is a similar request as the previous item. Again, the request is for a condominium conversion for an existing duplex that was built in 2007 and a parcel map for condominiums was also approved in 2007 that is still alive however, the new duplex was finalized prior to recordation of the parcel map which still has not been recorded. Whelan further explained that the Building Division's conditions are identical to the previous item in that any new construction in conjunction with the change of use to condominiums would require that the existing duplex be brought into conformance with the current Building Code. No construction is proposed with the condominium conversion.

Applicant Bill Caskey, on behalf of Zotovich Development Co, LLC, stated that he had reviewed the draft resolution and the required conditions.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment the public hearing was closed.

Action: Approved

Makana Nova, Assistant Planner, provided a brief project description of the Lot Line Adjustment request stating that the applicant was requesting a lot line adjustment of 584 sq. ft. that is consistent with a tentative tract map previously approved for the Aerie multi-family residential project. The Lot Line Adjustment was requested by the applicant in order to obtain construction financing for the project. Ms. Nova noted that one comment letter had been received and that the applicant had submitted a response to this comment for the record stating that existing easements on the subject properties would not be impacted by the requested Lot Line Adjustment. Ms. Nova also identified that a revised draft resolution had been distributed.

Applicant, Robert Wheeler, stated that he had reviewed the revised draft resolution and the required conditions.

The Zoning Administrator opened the public hearing.

Gary McKitterick, attorney representing the properties 103 and 105 Bayside Place, inquired if the proposed lot line adjustment would impact the required setbacks for the proposed project, consistent with the Fact in Support of Finding No. C-2 in the draft resolution. He also requested clarification for the record that the Bayside parcels would not be impacted by the proposed lot line adjustment. Secondly, Mr. McKitterick, requested clarification that the lot line adjustment would not affect the density permitted on the lot. Finally, Mr. McKitterick inquired as to the purpose of the Lot Line Adjustment.

AERIE project architect, Brion Jeannette, provided clarification that neither of the Bayside parcels are affected by the proposed lot line adjustment. Entitlement, land use, and setbacks would not be affected for 103 and 105 Bayside Place. Only 101 Bayside Place would be affected by the proposed lot line adjustment. Mr. Jeannette also clarified that there would be no impact to the density allowed under the project for either parcel. Finally, Mr. Jeannette noted that the purpose of the Lot Line Adjustment was to square off the parcels to make a cleaner project divide for purposes of obtaining a construction loan for the project. Improvements are not proposed as a result of the Lot Line Adjustment.

Additionally, Jim Mosher, spoke and commented that the staff report implies that this corner adjustment was previously approved by City Council as part of the project. Mr. Mosher identified that he is unable to identify a map that includes the proposed adjustment from the City Council meeting.

The Zoning Administrator clarified that the corner adjustment was previously included as part of the overall AERIE project when it went to City Council, but an administrative glitch had occurred.

Mr. Jeannette, added to the Zoning Administrator's comment and clarified that the Lot Line Adjustment would facilitate the financing of the project as it proceeded toward recordation of the Final Tract Map.

Jim Mosher then inquired as to the recent September 30, 2013, date on the Lot Line Adjustment. He again inquired as to why the Lot Line Adjustment is necessary if it was already approved. If the scope of work is new, he asked if Coastal Commission approval is required.

Mr. Jeannette, clarified that the original signatory of the documents, Bob Sprigs, had passed away. Thus, his wife, Peggy, had resigned the documents to bring them up-to-date. The proposed adjustment was previously included as part of the Coastal Development Permit and the proposed adjustment is simply necessary as an interim step in the process for financing purposes.

The Zoning Administrator closed the public hearing.

The Zoning Administrator then took action approving Lot Line Adjustment No. LA2013-011.

Ms. Nova indicated that the draft resolution would be updated to reflect the correct hearing date in the resolution for approval.

Action: Approved

ITEM NO. 6 **Davis Lot Merger No. LM2013-003 (PA2013-176)**
106 6th Street and 524 West Ocean Front

CD 1

Fern Nueno, Associate Planner, provided a brief project description stating that the application is a lot merger to combine two lots into one for single-unit residential development. If the lot merger were approved, the resulting default setbacks would be inconsistent with other lots in the vicinity; therefore, the applicant applied for an Alternative Setback Determination. The Planning Division refers those applications to the Planning Commission for review. Staff recommended that the Zoning Administrator forward the Lot Merger application to the Planning Commission to be reviewed concurrently with the Alternative Setback Determination.

Ms. Nueno noted that three correspondences were received, which will be forwarded to the Planning Commission.

Morgan Davis, property owner, and Eric Mossman, architect, were present for the meeting. Mr. Davis acknowledged the setback issues with the fence along the alley property line and concurred with the staff recommendation.

The Zoning Administrator opened the public hearing. Seeing that no one from the public wished to comment the public hearing was closed.

Zoning Administrator Alford noted that the item will be reviewed at a future public hearing.

Action: Forwarded to the Planning Commission for review concurrently with the Alternative Setback Determination

ITEM NO. 7**Hyatt Regency Sign Modification No. MD2013-013 (PA2013-160)
1107 Jamboree Road****CD 4**

Makana Nova, Assistant Planner, provided a brief project description of the Modification Permit request, stating that the applicant was requesting additional logo/letter height for three existing monument signs at the Hyatt Regency. The signs were previously approved with a modification permit for the number and location of monument signs on the subject property. The proposed letter/logo height would be consistent with the maximum 36-inch height permitted under the Zoning Code. A fourth existing wall sign adjacent to the entry monument sign at Jamboree Road would remain unchanged.

Applicant, Elie Lipson, of Sign-O-Rama on behalf of the Sunstone Hotel Investors, Inc. for the Hyatt Regency Hotel stated that he had reviewed the draft resolution and the required conditions.

The Zoning Administrator opened the public hearing.

One member of the public, Jim Mosher, spoke and had several comments. He stated that Section 2 of the draft resolution should specify that the project was exempt under the California Environmental Quality Act "Guidelines." He also clarified that the proposed signage is less than the maximum 36-inch letter/logo height proposed for approval under the Modification Permit. He also clarified that the letter height is less than the existing signage on-site and that only the logo sign height would be increasing.

Ms. Nova indicated that the draft resolution would provide additional language suggested by Mr. Mosher. Seeing that no one further from the public wished to comment the public hearing was closed.

The Zoning Administrator then took action approving Modification Permit No. MD2013-013.

Action: Approved

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

E. ADJOURNMENT

The hearing was adjourned at 4:04 p.m.

The agenda for the Zoning Administrator Hearing was posted on October 17, 2013, at 3:30 p.m. in the Chambers binder and on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive and on the City's website on October 17, 2013, at 3:40 p.m.

Patrick J. Alford, Zoning Administrator